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DATE: December 6, 2004

TOTAL # OF PAGES: 16
(INCLUDING THIS COVER SHEET)TO: Mail Stop AMENDMENT
Commissioner for Patents

FAX #: (703) 872-9306

ATTN: Examiner: Robin A. Hyllon
Art Unit: 3737

PHONE #:

FROM: Victor E. Johnson

FAX #: (415) 398-3249

PHONE #: (415) 781-1989

EMAIL: johnson.victor@dorsey.com

RE:

U.S. Patent Application No. 09/977,151 for
Closure Including Cap and Fitment Having Gripping Member
Our Docket No. A-70895/RBC/VEJ (Matter No. 463678-00192)

COMMENTS:

Kindly acknowledge receipt of the following documents by return facsimile:

- 1) TRANSMITTAL;
- 2) PETITION FOR EXTENSION OF TIME;
- 3) AMENDMENT AND REPLY; and
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REFERENCE # 463678-00192

DEC 06 2004

PATENT

Attorney Docket No. A-70895/RBC/VEJ
Application No. 09/977,151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian M. ADAMS

Application No. 09/977,151

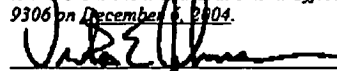
Filed: October 12, 2001

For: CLOSURE INCLUDING CAP AND
FITMENT HAVING GRIPPING
MEMBER

Art Unit: 3737

Examiner: Robin A. Hylton

Docket No.: A-70895/RBC/VEJ

*Certificate of Transmission (37 C.F.R. § 1.8(a))**I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile number (703) 872-9306 on December 6, 2004.*
Victor E. JohnsonMail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

☒ Transmitted herewith is:

- 1) PETITION FOR EXTENSION OF TIME;
- 2) AMENDMENT AND REPLY; and
- 3) One fax cover sheet.

☐ Applicant is a small entity. See 37 CFR § 1.27(c).☒ The fees have been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest Previously Paid For	Present Extra	Small Entity Rate Fee	OR	Other than a Small Entity Rate Fee
Total Claims	14	-	23	0	x 9 = \$		x 18 = \$0
Ind. Claims	2	-	4	0	x 43 = \$		x 86 = \$0
() Multiple Dependent Claim Presented and Fee not Previously Paid					+145 = \$		+290 = \$0
					TOTAL \$		TOTAL \$0

Total Additional Claims Fee: \$ 0

TRANSMITTAL

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(1157337)

PATENT

Attorney Docket No. A-70895/RBC/VEJ
Application No. 09/977,151

Extension of Time Fee: \$ 980.00

Other fees: \$ n/a

TOTAL FEES: \$ 980.00

- ☐ No fee is required.
- ☐ A check including the amount of the above indicated TOTAL FEES for \$ _____ is attached.
- ☒ Please charge Deposit Account No. 50-2319 (Order No. 463678-00192; Docket No. A-70895/RBC/VEJ) in the amount of \$ 980.00.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time and for the presentation of extra claims, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 463678-00192; Docket No. A-70895/RBC/VEJ).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: December 6, 2004By: Victor E. Johnson, Reg. No. 41,546
/for/ Robert B. Chickering, Reg. No. 24,286
Filed under 37 C.F.R. § 1.34(a)DORSEY & WHITNEY LLP
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PATENT

Attorney Docket No. A-70895/RBC/VEJ
Application No. 09/977,151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

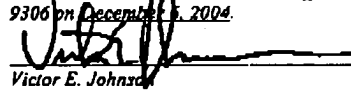
In re application of:

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Filed: **October 12, 2001**For: **CLOSURE INCLUDING CAP AND
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MEMBER**

Art Unit: 3737

Examiner: **Robin A. Hylton**Docket No.: **A-70895/RBC/VEJ**Certificate of Transmission (37 C.F.R. § 1.8(a))*I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office. Facsimile number (702) 872-9306 on December 6, 2004.*

Victor E. Johnson

Mail Stop AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AND REPLY**

Sir:

Responsive to the Office Action of June 4, 2004, Applicant submits the following Amendment and Remarks. A petition for a three month extension of time is submitted herewith along with the appropriate fee to extend the due date from September 4, 2004 to December 4, 2004. Since December 4, 2004 was a Saturday, this is being timely filed on the next business day, Monday, December 6, 2004.

AMENDMENTS

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks, including arguments, begin on page 5 of this paper.